

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LUIGI GIROTTO,

Plaintiff,

-against-

44TH ST NYC, INC. and TECUMSEH
PROPERTIES, INC.,

Defendants.

Case No. 1:24-cv-08842 (JLR)

ORDER


JENNIFER L. ROCHON, United States District Judge:

Plaintiff Luigi Girotto commenced this action on November 20, 2024. Dkt. 1. Federal Rule of Civil Procedure (“Rule”) 4(m) requires Plaintiff to serve Defendants within 90 days of the filing of the complaint — that is, by February 18, 2025. *See* Fed. R. Civ. P. 4(m) (“If a defendant is not served within 90 days after the complaint is filed, the court . . . must dismiss the action without prejudice against that defendant or order that service be made within a specified time.”). Plaintiff did not do so. On February 19, 2025, the Court ordered Plaintiff to show cause as to why he had failed to serve the Summons and Complaint within the 90 days prescribed by Rule 4(m), or, if he believed that Defendants had been served, when and in what manner such service was made. Dkt. 8. The Court also informed Plaintiff that if it did “not receive any communication from Plaintiff by February 24, 2025, showing good cause why such service was not made within the 90 days, the Court w[ould] dismiss the case as to both Defendants without further notice.” *Id.* That date has now passed without Plaintiff responding to the Court’s Order to Show Cause, filing proof of service on any of the Defendants, or otherwise communicating with the Court. Therefore, for the reasons set forth both in this Order and the Court’s Order to Show Cause, this action is dismissed without

prejudice for failure to serve in the time required by Rule 4(m). The Clerk of Court is respectfully directed to close this case.

Dated: February 25, 2025
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge